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TO RUEHC/SECSTATE WASHDC PRIORITY 5857
INFO RUEHBS/AMEMBASSY BRUSSELS 0382
RUEHJB/AMEMBASSY BUJUMBURA 0480
RUEHDR/AMEMBASSY DAR ES SALAAM 1295
RUEHKM/AMEMBASSY KAMPALA 2070
RUEHKI/AMEMBASSY KINSHASA 0628
RUEHLO/AMEMBASSY LONDON 0396
RUEHNR/AMEMBASSY NAIROBI 1404
RUEHFR/AMEMBASSY PARIS 0658
RUCNDT/USMISSION USUN NEW YORK 0195

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TAGS: [PREL](#) [PGOV](#) [PINR](#) [PINS](#) [RW](#)
SUBJECT: WHEREABOUTS OF GENERAL NKUNDA

REF: IIR 6956007809

Classified By: Ambassador Symington for Reasons 1.4 (b) (d)

¶1. (C) As of January 28, General Laurent Nkunda continues to be held by Rwandan security forces in his family's residence in Gisenyi, according to close associates. He also has access to a government residence close by. He receives visits from family members (including a recent delivery of clothes from his wife), but permission must be sought first. He has access to cell phones, and has been "briefed" on his temporary status in Gisenyi by Rwandan authorities. The Rwanda Defense Forces (RDF) apparently control his immediate security -- Rwandan National Security Services (NSS) operatives say, "speak to the RDF," when questioned as to his status and treatment.

¶2. (C) Despite calls for Nkunda to be turned over to the Democratic Republic of the Congo (DRC), there has been no formal request. If a request were made, whether or not there is a valid extradition treaty (a point still under review), Nkunda would be likely to have an opportunity to mount a legal challenge.

¶3. (C) Rwandans and resident Congolese were surprised by Nkunda's arrest. Many were concerned that his removal from the Kivus would put in danger those fellow rwandaphones, living in the Congo, whom Nkunda purported to protect. A few were openly angry, both in the city and in Congolese rwandaphone refugee camps in Rwanda.

¶4. (C) Comment: President Kagame's decision to arrest Nkunda and cooperate militarily with the DRC has changed the intellectual landscape for Rwandans. Many doubt that the partnership with the DRC will prove beneficial over the long term for fellow rwandaphones in the Congo and Nkunda's immediate extradition would increase those concerns and, perhaps, spark anger in the CNDP that might complicate the ongoing operation. It is likely that Rwanda will hold Nkunda for the near future as the joint DRC/GOR operation progresses. Whether Nkunda remains in Rwanda over the long term, or is turned over to the DRC, or is permitted to move elsewhere may depend on the joint operation's success. End Comment.
SYMINGTON